



General Assembly

January Session, 2007

Substitute Bill No. 1032

* SB01032PD 053107 *

AN ACT REDUCING DIESEL EMISSIONS IN SCHOOL BUS CABINS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2007*) (a) As used in sections 1 to 4,
2 inclusive, of this act:

3 (1) "Closed crankcase filtration system" means a system that
4 separates oil and other contaminants from the blow-by gases and
5 routes the blow-by gases into a diesel engine's intake system
6 downstream of the air filter;

7 (2) "Emergency contingency vehicle" means a bus placed in an
8 inactive contingency fleet for local emergencies, after the bus has
9 reached the end of its normal minimum useful life;

10 (3) "Full-sized school bus" means a school bus, as defined in section
11 14-275 of the general statutes, which is a Type I diesel school bus,
12 including spare buses operated by or under contract to a school
13 district, but not including emergency contingency vehicles or low
14 usage vehicles;

15 (4) "Low usage vehicle" means a bus that operates for not more than
16 one thousand miles per year;

17 (5) "Model year 2007 emission standards" means engine emission
18 standards promulgated by the federal Environmental Protection

19 Agency in 40 CFR Parts 69, 80 and 86;

20 (6) "Ultra low sulfur diesel fuel" means diesel fuel used by an on-
21 road engine that meets the requirements for sulfur content set forth in
22 40 CFR 80;

23 (7) "Verified emissions control device" means a device that has been
24 verified by the federal Environmental Protection Agency or the
25 California Air Resources Board to reduce particulate matter emissions
26 by a given amount;

27 (8) "Level 1 device" means a verified emissions control device that
28 achieves greater than or equal to twenty-five per cent, but less than
29 fifty per cent, particulate matter reduction;

30 (9) "Level 2 device" means a verified emissions control device that
31 achieves greater than or equal to fifty per cent, but less than eighty-five
32 per cent, particulate matter reduction; and

33 (10) "Level 3 device" means a verified emissions control device that
34 achieves greater than or equal to eighty-five per cent, particulate
35 matter reduction or a particulate matter emission standard of 0.01
36 grams per brake horsepower-hour.

37 Sec. 2. (NEW) (*Effective July 1, 2007*) (a) If the procurement contracts
38 developed pursuant to subsection (b) of this section establish price
39 levels for closed crankcase filtration systems and level 1 devices, level
40 2 devices and level 3 devices equivalent to or less than the grant
41 amounts for the emissions control devices and the installation of such
42 devices specified in subsection (a) of section 4 of this act, not later than
43 September 1, 2010, each full-sized school bus with an engine model
44 year of 1994 or later transporting children in the state shall: (1) Be
45 equipped with a closed crankcase filtration system and either a level 1,
46 level 2 or level 3 device, or, if the bus has an engine model year of 2003
47 to 2006, inclusive, has not been retrofit with a level 1 device or level 2
48 device prior to July 1, 2007, and is capable of operating normally with
49 a level 3 device, be equipped with a closed crankcase filtration system

50 and a level 3 device, (2) be equipped with an engine certified by the
51 federal Environmental Protection Agency to meet model year 2007
52 emission standards, or (3) use compressed natural gas or other
53 alternative fuel certified by the federal Environmental Protection
54 Agency or the California Air Resources Board to reduce particulate
55 matter emissions by not less than eighty-five per cent compared to
56 ultra-low sulfur diesel fuel.

57 (b) The Commissioner of Administrative Services, in consultation
58 with the Commissioner of Environmental Protection, shall develop
59 procurement contracts, in accordance with chapter 58 of the general
60 statutes, for (1) level 1, level 2 and level 3 devices, and (2) closed
61 crankcase filtration systems, including the installation and warranty of
62 such systems and such devices. Said procurement contracts shall be
63 made available to state agencies and political subdivisions of the state
64 contracting portal section of the Department of Administrative
65 Services' Internet web site.

66 Sec. 3. (NEW) (*Effective July 1, 2007*) There is established the "school
67 bus emissions reduction account", which shall be a separate,
68 nonlapsing account within the General Fund. Penalties paid pursuant
69 to section 4 of this act shall be deposited into the account. The account
70 may contain any moneys required by law to be deposited in the
71 account.

72 Sec. 4. (NEW) (*Effective July 1, 2007*) (a) The Commissioner of
73 Environmental Protection, in consultation with the Commissioner of
74 Education, shall establish a school bus emissions reduction program.
75 Such program shall be established regardless of the price levels
76 established by the procurement contracts developed pursuant to
77 subsection (b) of section 2 of this act. Through the program, the
78 Commissioner of Environmental Protection shall:

79 (1) Make grants with funds from the school bus emissions reduction
80 account, established pursuant to section 3 of this act, to municipalities
81 and local and regional school boards to reimburse them for the cost of

82 retrofitting full-sized school buses that are projected to be in service on
83 or after September 1, 2010, as follows: (A) Not to exceed five thousand
84 dollars for each bus with an engine model year between 2003 to 2006,
85 inclusive, that has been equipped with a closed crankcase filtration
86 system and a level 3 device; (B) not to exceed two thousand five
87 hundred dollars for each bus that has been equipped with a closed
88 crankcase filtration system and a level 2 device; and (C) not to exceed
89 one thousand two hundred fifty dollars for each bus that has been
90 equipped with a closed crankcase filtration system and a level 1
91 device. In the event the procurement contracts developed pursuant to
92 section 2 of this act fail to establish price levels for closed crankcase
93 filtration systems and level 1, level 2 and level 3 devices, municipalities
94 or local and regional boards of education may opt to retrofit their full-
95 sized school buses and be eligible to receive the grants established in
96 this section;

97 (2) Develop an outreach plan and materials for educating and
98 notifying municipalities, local and regional boards of education and
99 bus companies about the requirements of section 2 of this act; and

100 (3) Assist municipalities and local and regional boards of education
101 and bus companies to retrofit their full-sized school buses.

102 (b) To receive a reimbursement pursuant to this section, a
103 municipality or local or regional board of education shall submit a
104 form prescribed by the commissioner to the Department of
105 Environmental Protection, which shall contain: (1) The school bus
106 model and year, engine model and year, vehicle identification number
107 and date installed for each eligible retrofitted bus, (2) for an eligible
108 bus retrofit with a level 3 device, a certification that the bus will
109 operate in the state for not less than four years after the date of
110 installation of the emission control devices, and (3) a receipt for the
111 purchase of the emission control devices and their installation.

112 (c) The commissioner shall not use more than three per cent of the
113 funds provided in the school bus emissions reduction account

114 established in section 3 of this act for the administration of the
115 program established under this section.

116 (d) Any municipality or local or regional board of education who
117 makes a false statement in an application pursuant to this section shall
118 pay a civil penalty of not more than one thousand dollars for each
119 offense. Each violation shall be a separate and distinct offense. The
120 Attorney General, upon complaint of the commissioner, shall institute
121 an action in superior court for the judicial district of Hartford to
122 recover such penalty. The department shall deposit penalties collected
123 pursuant to this section into the school bus diesel account established
124 pursuant to section 3 of this act.

125 Sec. 5. Section 14-26 of the general statutes is repealed and the
126 following is substituted in lieu thereof (*Effective July 1, 2007*):

127 (a) Each owner or lessee of a motor bus, service bus, taxicab, school
128 bus or motor vehicle in livery service shall file in the office of the
129 commissioner a special application, containing his name, residence
130 and post-office address and a description of the motor vehicle owned
131 or leased by him, which shall include the name of the maker and such
132 other information as the commissioner may require. The commissioner
133 may register such motor vehicle as a motor bus or as a service bus or as
134 a taxicab or as a school bus or as a motor vehicle in livery service or as
135 a school bus used in part in livery service; but no such registration
136 shall be issued to the owner or lessee of any such motor vehicle unless
137 it is in suitable condition for carrying passengers and is equipped as
138 required by law. The registration number and certificate of registration
139 of each such vehicle shall be special, and such certificate of registration
140 shall contain such information as the commissioner may require. No
141 registration shall be issued to the owner or lessee of a motor bus who
142 has not obtained a certificate of public convenience and necessity from
143 the Department of Transportation, in accordance with the provisions
144 of section 13b-80. No registration shall be issued to the owner or lessee
145 of a taxicab who has not obtained a certificate of public convenience
146 and necessity from the Department of Transportation in accordance

147 with the provisions of section 13b-97. No such vehicle shall be
148 registered unless the owner thereof has complied with the provisions
149 of section 14-29, and no such vehicle shall be operated upon any
150 highway without first being registered in accordance with the
151 provisions of section 14-49. The commissioner may issue, to an
152 applicant for registration of more than one motor bus, a certificate or
153 certificates of registration containing a general distinguishing number
154 and mark assigned to such applicant upon application to him therefor,
155 which application shall be made in such form and contain such
156 information as the commissioner may determine. Each motor bus
157 included in such registration shall be regarded as registered under and
158 having assigned to it such general distinguishing number and mark.
159 The commissioner may impose upon the issuance and use of each such
160 general registration such conditions, limitations and restrictions as he
161 may determine. Such motor bus owners shall not be required to carry
162 such certificates upon the vehicles registered under the provisions of
163 this section, but shall keep a record of each person operating any
164 motor bus so registered in sufficient detail to promptly identify such
165 person at any specified time, which record shall be subject to the
166 inspection of any officer designated by the commissioner. If any such
167 registrant fails to keep such record or to produce it for inspection as
168 hereinbefore provided, such failure shall be sufficient cause for the
169 commissioner to cancel or suspend such registration. The
170 commissioner may require of such registrant a bond satisfactory to
171 him in an amount not to exceed ten thousand dollars, conditioned
172 upon compliance with the laws of the state and the regulations of the
173 commissioner concerning the use of such registration, number and
174 mark, or otherwise conditioned as he may direct, which bond shall be
175 forfeited for any violation of the conditions thereof. The commissioner
176 may issue to the holder of any such general motor bus or interstate
177 registration one or more registrations and number plates for motor
178 vehicles in livery service which may be used interchangeably with
179 such motor bus or interstate registration in accordance with such
180 conditions and regulations as he may impose, provided the number of
181 interstate registrations and number plates issued shall not exceed the

182 number of intrastate registrations and number plates authorized by the
183 Department of Transportation.

184 (b) The certificate of registration of a motor bus, service bus, taxicab,
185 school bus and motor vehicle in livery service shall, at all times, be
186 carried upon such motor vehicle and shall be subject to examination
187 upon demand by any person authorized by law.

188 (c) On or after September 1, 2010, in order to obtain a certificate of
189 registration pursuant to this section, the owner or lessee of a school
190 bus shall submit to the commissioner documentation of compliance
191 with the emissions control requirements set forth in section 2 of this
192 act.

193 [(c)] (d) Any person who violates any provision of this section shall
194 have committed an infraction. Any person who violates any provision
195 of subsection (b) of this section shall be fined, for the first offense,
196 thirty-five dollars and, for each subsequent offense, not less than
197 thirty-five dollars nor more than fifty dollars.

198 Sec. 6. *(Effective from passage)* The sum of eleven million dollars is
199 appropriated to the school bus emissions reduction account
200 established pursuant to section 3 of this act, from the General Fund
201 surplus, for the fiscal year ending June 30, 2007, for the purposes
202 specified in sections 2 and 4 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	New section
Sec. 2	<i>July 1, 2007</i>	New section
Sec. 3	<i>July 1, 2007</i>	New section
Sec. 4	<i>July 1, 2007</i>	New section
Sec. 5	<i>July 1, 2007</i>	14-26
Sec. 6	<i>from passage</i>	New section

ENV Joint Favorable Subst.

ED	<i>Joint Favorable</i>
GAE	<i>Joint Favorable</i>
TRA	<i>Joint Favorable</i>
APP	<i>Joint Favorable</i>
PD	<i>Joint Favorable</i>